

CHAPTER 67.1-02-04 ALTERNATIVE ACCESS LICENSES

Section

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67.1-02-04-01. Alternative access licenses for teacher shortages.

Alternative access licenses will be issued under the following conditions:

1. Consideration for alternative access licenses will not be granted until after August first in any year.
2. Alternative access licenses may be issued only in areas where documented shortages of regularly licensed teachers exist as determined by the education standards and practices board. Shortage areas must be determined by the education standards and practices board based upon the ratio of regularly licensed teachers in the state who are qualified for the position to the number of schools with open positions requesting alternative access licensure. In cases where near shortages exist, the board must give additional consideration to whether the hiring school has made a diligent effort to attract and hire regularly licensed teachers.
3. The request for an alternative access license must be initiated by a school. The school board or administration must make the request in writing to the education standards and practices board for consideration of an alternative access license, indicating intent to offer a contract if licensure can be arranged. The request must document that a diligent effort has been made to employ a regularly licensed teacher to fill the position. Documentation of a diligent effort to employ qualified personnel should include information on how and how long the position was advertised, whether schools of education have been contacted in search of applicants, how many qualified applicants applied, how many applicants were interviewed, whether increases in salary or other incentives were offered in an attempt to attract qualified applicants, and whether these incentives are comparable to those offered by other schools of similar size and means.
4. The candidate must write a letter indicating willingness to accept the position if offered.

5. Complete official transcripts of all college work must be sent to the education standards and practices board.
6. The applicant must have proficiency and hold minimum qualifications of a content area bachelor's degree in the content area to be assigned. If an applicant already qualifies for teacher licensure in another content area, alternative access licensure may not be used to teach in a new content area while obtaining new content area requirements.
7. Renewal of alternative access licenses will be reviewed each year and will depend upon the supply of and demand for teachers as evidenced by documented efforts to obtain a licensed person for the position.
8. Renewal of the alternative access license, if permitted, is contingent upon presentation of at least one-third completion of the requirements for regular licensure as stated in section 67.1-02-02-02 and the North Dakota standards for teacher education program.
9. The fee for the alternative access license is one hundred fifty dollars for each year the license is issued.
10. Alternative access licensure is to address documented shortage areas only. Alternative access licensure may not be issued to applicants who have failed to meet the deadlines or conditions of their regular licensure renewal.
11. Initial applicants for alternative access licensure must also submit to the fingerprint background check as stated in subsection 9 of section 67.1-02-02-02.
12. Upon completion of all of the requirements for regular licensure stated in section 67.1-02-02-02, an individual holding an alternative access license may apply for a regular two-year initial license and begin accruing the eighteen months of successful teaching time required to move into the five-year cycle according to sections 67.1-02-02-02 and 67.1-02-02-04.

History: Effective July 1, 1995; amended effective October 1, 1998; October 16, 1998-April 14, 1999; June 1, 1999; March 1, 2000; July 1, 2004; April 1, 2006.

General Authority: NDCC 15.1-13-09, 15.1-13-10

Law Implemented: NDCC 15.1-13-10, 15.1-13-11, 15.1-13-14

67.1-02-04-02. Interim licenses for substitute teachers. Interim licensure may be granted for substitute teachers who meet the initial requirements as outlined in subsections 1 through 6 and subsection 10 of section 67.1-02-04-01 when a shortage of regularly licensed substitutes exists. The interim license fee for substitute teachers is forty dollars for one year. Renewal is contingent upon continued request from the school employing the substitute. Individuals who hold an interim substitute licensure and wish to accept a full-time or part-time

contract must do so under the reentry requirements in sections 67.1-02-02-04 and 67.1-02-02-09, including reeducation hours. The interim license is valid for a minimum of one year and will expire on the applicant's birthdate.

History: Effective October 16, 1998-April 14, 1999; amended effective June 1, 1999; March 1, 2000; July 1, 2004; April 1, 2006.

General Authority: NDCC 15.1-13-09, 15.1-13-10

Law Implemented: NDCC 15.1-13-10, 15.1-13-11

67.1-02-04-03. Interim school counselor. School counselor monitoring under the seven-year option provided in North Dakota Century Code section 15.1-13-23, which took effect August 1, 1997, will be conducted as follows:

1. An applicant wishing to apply under the seven-year option provided in North Dakota Century Code section 15.1-13-23 must first contact the guidance and counseling office at the department of public instruction to confirm that the counseling degree the applicant currently holds is eligible. The department of public instruction counseling office will forward a letter confirming its decision to the education standards and practices board.
2. Eligible counselors entering through the seven-year program must be fingerprinted at the beginning of the process and clear the background check under section 67.1-02-02-02 in the same manner as other initial licensure applicants.
3. An applicant must show documentation that the applicant has been formally admitted both:
 - a. To a college or university with a state-approved teacher education program; and
 - b. To the approved teacher education program at that institution.
4. Once formally admitted, an applicant must file with the education standards and practices board:
 - a. The applicant's approved teacher education program plan; and
 - b. A timeline showing how the applicant will complete at least one-seventh of that program each year.
5. A counselor entering through the seven-year option must complete the requirements within seven years of the counselor's first entrance into the program. A counselor in this program must submit an annual progress report to the education standards and practices board with transcripts verifying that the counselor has completed the agreed-upon one-seventh of the program requirements.

6. An applicant entering under the seven-year program must receive a letter of approval granting the applicant permission for employment while working toward full licensure and must make a satisfactory annual progress report to the education standards and practices board.
7. An applicant cannot be employed or permitted to perform the duties of a licensed school counselor until the education standards and practices board formally approves the applicant's program and timeline and issues the letter.
8. Individuals performing the duties of a school counselor under an education standards and practices board letter of approval must be under the supervision of a licensed teacher since they do not yet hold a regular teaching license.

History: Effective March 1, 2000; amended effective August 1, 2002.

General Authority: NDCC 15.1-13-09, 15.1-13-10, 15.1-13-23

Law Implemented: NDCC 15.1-13-10, 15.1-13-14, 15.1-13-23

67.1-02-04-04. Forty-day provisional licenses. Provisional licenses will be issued for a period of forty days under the following conditions:

1. Consideration for provisional licenses will not be granted until after August fifteenth in any year.
2. Provisional licenses can only be issued to those individuals who have met all of the other requirements for a license except:
 - a. For the final clearance of the bureau of criminal investigation and the federal bureau of investigation; or
 - b. Pending the receipt of official transcripts or other original, signed, or certified documents.
3. The school wishing to hire the individual has submitted to the education standards and practices board a letter of need and intent to hire.
4. The individual has submitted a letter to the education standards and practices board indicating no criminal background and the intent to accept the position.
5. The provisional license is issued for forty days but may be renewed at the discretion of the education standards and practices board and continued request of the school.
6. There is a one-time fee for the provisional license of twenty-five dollars.
7. Once the criminal background investigation has been completed and all official transcripts or other original, signed, or certified documents

received, the education standards and practices board may issue the license for which the individual is qualified with its respective fees and conditions.

History: Effective March 1, 2000; amended effective July 1, 2004; April 1, 2006.

General Authority: NDCC 15.1-13-09, 15.1-13-10

Law Implemented: NDCC 15.1-13-10, 15.1-13-11, 15.1-13-13, 15.1-13-14

67.1-02-04-05. Out-of-state reciprocal licensure. North Dakota has conditional reciprocity with other states. To receive out-of-state reciprocal licensure, an applicant must first hold a valid, current regular teaching certificate or license from another state, province, or similar jurisdiction or have completed a state-approved teacher education program.

1. **Out-of-state reciprocal entrance requirements.** Those who apply to the education standards and practices board, meet the minimum reciprocity requirements, and submit a satisfactory plan for completing the remaining North Dakota requirements will be issued a two-year out-of-state reciprocal license which has a fee of seventy dollars. The minimum reciprocity qualifications are:
 - a. A bachelor's degree that includes a major that meets the issuing jurisdiction's requirements in elementary education, middle level education, or a content area taught in public high school;
 - b. Completion of a professional education sequence from a state-approved teacher education program, including supervised student teaching;
 - c. Fingerprint background check as required of all initial applicants; and
 - d. Submission and education standards and practices board approval of a plan to complete all remaining requirements for full North Dakota licensure as stated in section 67.1-02-02-02. That plan will include the successful completion of a praxis II content test in the core academic areas.
2. **Remaining North Dakota requirements.** An applicant will be notified of remaining requirements for full North Dakota licensure by the education standards and practices board. All out-of-state applicants shall submit transcripts for review by the same criteria as North Dakota applicants. The applicant must provide official copies of transcripts from all the institutions of higher education the applicant has attended. The nonrefundable fee for the transcript review process is one hundred seventy-five dollars.

- a. The transcript review fee may be deferred for the two-year substitute license. The fee is due upon application for the initial license and signing a North Dakota teaching contract.
 - b. The school district where the applicant will be a substitute must apply in writing for the deferment.
3. **Renewals.** The out-of-state reciprocal license is valid for two years and is renewable once, provided adequate progress toward completing the remaining requirements is documented and approved by the education standards and practices board. The interim reciprocal license will expire on the applicant's birthdate.

History: Effective March 1, 2000; amended effective August 1, 2002; July 1, 2004; April 1, 2006.

General Authority: NDCC 15.1-13-09, 15.1-13-10

Law Implemented: NDCC 15.1-13-10, 15.1-13-11, 15.1-13-14, 15.1-13-20, 15.1-13-21

67.1-02-04-06. Trade, industry, technical, and health occupations interim license. Applicants entering the profession of teaching in the areas of trade, industry, technical, and health occupations in compliance with the standards prescribed by the state board for career and technical education under North Dakota Century Code section 15-20.1-03 are issued restricted trade, industry, technical, and health occupations interim licensure by the education standards and practices board under North Dakota Century Code section 15.1-13-10. Applicants for the initial trade, industry, technical, and health occupations interim license pay the thirty dollar initial application fee and a seventy dollar fee for the first two-year license, and must also submit to a fingerprint screening for criminal records in accordance with North Dakota Century Code section 15.1-13-14.

The trade, industry, technical, and health occupations interim license is renewable upon satisfactory completion of reeducation requirements prescribed and verified by the state board for career and technical education, submission of a completed application for renewal, positive recommendations, and payment of the license fee. Subsequent two-year or five-year renewal licenses will be issued in accordance with the renewal requirements in section 67.1-02-02-04. An applicant issued a restricted trade, industry, technical, and health occupations license may teach or substitute teach only in that licensed area and may move into a regular teaching license by completing the requirements for regular licensure under section 67.1-02-02-02.

The trade, industry, technical, and health occupations endorsement is required for those educators teaching occupational intent programs grades nine through twelve that meet the career and technical education standards or industry standards, or both. A review of past coursework and experience will be conducted and a program of studies needed for completion will be established. Reeducation for the trade, industry, technical, and health occupations endorsement must be completed prior to or within two years of assignment.

The applicant must request the endorsement form from the department of career and technical education, complete it, and return it with the official documentation, and review fee of seventy-five dollars.

History: Effective August 1, 2002; amended effective July 1, 2004.

General Authority: NDCC 15.1-13-09, 15.1-13-10

Law Implemented: NDCC 15.1-13-10, 15.1-13-11, 15.1-13-14

67.1-02-04-07. Clinical practice option. Applicants who have entered the profession of teaching through alternative access licensure under section 67.1-02-04-01, elementary, middle, or secondary endorsement under chapter 67.1-02-03, or trade, industry, technical, and health occupations interim licensure under section 67.1-02-04-06 and are seeking to complete the requirements for regular licensure under section 67.1-02-02-02 may meet the student teaching requirement through a supervised clinical practice option meeting the following conditions:

1. The applicant requesting the clinical practice option must hold a valid regular elementary license, a valid alternative access license or a valid trade, industry, technical, and health occupations interim license and be employed under contract by an approved school during the clinical practice. The clinical practice option is not intended to be used by applicants who are not under contract and would not need release time from those contracts to complete a regular student teaching experience.
2. The clinical practice option must be approved by the education standards and practices board before it begins as part of the applicant's program of study toward regular licensure and must be conducted under the supervision of a state-approved college of teacher education. Criteria and evaluations for successful completion of the clinical experience must parallel and meet or exceed those the college of teacher education applies to student teaching experiences and the clinical practice must be at the appropriate grade levels for the licensure sought.
3. The school employing the applicant and the applicant must submit letters to the education standards and practices board requesting the clinical practice option and verifying their support of the agreement.
4. The clinical practice option must require a minimum of ten weeks of close supervision, which includes an equitable combination of daily meetings with or observations of the applicant at the beginning of the experience, by an onsite teacher meeting the qualifications for cooperating teachers under section 67.1-02-01-02 and by the school building principal or other supervisor responsible for evaluations of teachers under North Dakota Century Code sections 15.1-15-01 and 15.1-15-04 and must include onsite visits by college supervisors which meet or exceed the requirements for student teacher supervision under section 67.1-02-01-03.

5. The clinical practice option includes mentoring of the applicant for at least one school year by the onsite cooperating teacher and may also include mentoring by an offsite content area specialist. The mentoring occurs outside of the applicant's regular teaching assignment time and meets or exceeds the contact that would occur in a ten-week, full-time student teaching experience.
6. Upon completion of the clinical practice option, documentation of evaluations and transcripts verifying successful completion of the clinical practice will be provided through the college of teacher education to the education standards and practices board.
7. Applicants holding valid alternative access licensure under section 67.1-02-04-01 or trade, industry, technical, and health occupations interim licensure under section 67.1-02-04-06 who have successfully completed all of the other requirements for regular two-year initial licensure under section 67.1-02-02-02, except for ten weeks of supervised student teaching, may use the successful clinical practice meeting the conditions of this section to fulfill the student teaching requirement.

History: Effective August 1, 2002; amended effective July 1, 2004; April 1, 2006.

General Authority: NDCC 15.1-13-09, 15.1-13-10

Law Implemented: NDCC 15.1-13-10

67.1-02-04-08. Out-of-state highly qualified license. North Dakota educator licensure for out-of-state applicants requires the submission of a completed application pursuant to section 67.1-02-02-02 for the North Dakota professional educator's license, the submission to a fingerprint screening for criminal records in accordance with North Dakota Century Code section 15.1-13-14, the completion of a bachelor's degree from a state-approved teacher education program in a North Dakota-recognized program area major, including a student teaching experience, documentation of a valid professional educator's license, submission of all fees for initial licensure pursuant to section 67.1-02-02-02, and documentation of meeting the issuing jurisdiction's requirements for the highly qualified teacher requirements of the No Child Left Behind Act of 2001 as provided by the United States department of education's monitoring process.

If the issuing jurisdiction has the same test code requirements of the praxis II content test, the applicant will be required to meet the North Dakota cut score.

If the out-of-state applicant has not met the highly qualified teacher requirements of the issuing jurisdiction for the No Child Left Behind Act of 2001 as documented by the United States department of education's monitoring process, that applicant will have to meet the requirements pursuant to this section through

a transcript review analysis and all requirements pursuant to subsections 1, 2, and 3 of section 67.1-02-04-05.

History: Effective July 1, 2004; amended effective April 1, 2006.

General Authority: NDCC 15.1-13-09, 15.1-13-10

Law Implemented: NDCC 15.1-13-08, 15.1-13-10, 15.1-13-11, 15.1-13-14, 15.1-13-25, 15.1-13-26